

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-DETROIT

IN THE MATTER OF:

DAVID & JOANN PICHAN,

Debtors.

CHAPTER 7
CASE NO. 12-66246wsd
HONORABLE WALTER SHAPERO

OBJECTION TO
TRUSTEE'S MOTION (and AMENDED MOTION) FOR APPROVAL OF SALE
PROCEDURES FOR VACANTLAND LOCATED AT BUNTON ROAD, WILLIS,
MICHIGAN AND FOR ORDER TRANSFERRING LIENS AND OTHER
INTERESTS TO SALE PROCEEDS

Debtors, David L. Pichan and Jo Ann Pichan, by and through their attorney, Dickron Bohikian, in support of their Objection to the Trustee's Motion state as follows;

1. Admit the allegations in Paragraph one as true.
2. Admit the allegations in Paragraph two as true.
3. Admit that the bankruptcy estate owns certain vacant real property located at Burton Rod, Willis, Michigan. Neither admit nor deny the remaining allegations contained in Paragraph three and leave Trustee to his proofs. (as amended)
4. Neither admit nor deny the allegations contained in Paragraph four and leave Trustee to his proofs.
5. Admit the allegations in Paragraph five as true.
6. Neither admit nor deny the allegations contained in Paragraph six and leave Trustee to his proofs.
7. Neither admit nor deny the allegations contained in Paragraph seven and leave Trustee to his proofs.
8. Neither admit nor deny the allegations contained in Paragraph eight and leave Trustee to his proofs.

9. Neither admit nor deny the allegations contained in Paragraph nine and leave Trustee to his proofs.
10. Neither admit nor deny the allegations contained in Paragraph ten and leave Trustee to his proofs.
11. Neither admit nor deny the allegations contained in Paragraph eleven and leave Trustee to his proofs.
12. Neither admit nor deny the allegations contained in Paragraph twelve and leave Trustee to his proofs.
13. Neither admit nor deny the allegations contained in Paragraph thirteen and leave Trustee to his proofs.
14. Neither admit nor deny the allegations contained in Paragraph fourteen and leave Trustee to his proofs.
15. Neither admit nor deny the allegations contained in Paragraph fifteen and leave Trustee to his proofs.
16. Neither admit nor deny the allegations contained in Paragraph sixteen and leave Trustee to his proofs.
17. Neither admit nor deny the allegations contained in Paragraph seventeen and leave Trustee to his proofs. Debtors, however, do state that they have paid real property taxes to the County of Washtenaw and/or Township of Augusta post-petition thereby benefitting the estate and should, at the very least, be reimbursed for those payment(s).
18. Neither admit nor deny the allegations contained in Paragraph eighteen and leave Trustee to his proofs.
19. Neither admit nor deny the allegations contained in Paragraph nineteen and leave Trustee to his proofs.

20. Deny the allegations contained in Paragraph 20 as untrue. No mortgage exists against the Property in favor of Education Plus Credit Union (“EPCU”) or any entity. EPCU may have a judgment lien on the Property. Debtors neither admit nor deny the remaining allegations contained in Paragraph twenty.
21. Neither admit nor deny the allegations contained in Paragraph twenty-one and leave Trustee to his proofs.
22. Debtors further state and object to the sale of the Property for the reason that it will not benefit the estate. The value of the Property is so far below the secured claim of the IRS, not to mention any real property taxes, that the only beneficiary would be the Trustee (fees and cost), and perhaps the initial bidder, Creditor, EPCU, as it has a vested interest in recovering the vacant land for its own legal issues.

WHEREFORE, Debtors request that this Honorable Court deny the Trustees Motion to Sell Property and to award costs and fees to wrongfully incurred.

Respectfully submitted,

DICKRON BOHIKIAN

Service Date: December 17, 2013

/s/ Dickron Bohikian

Dickron Bohikian (46210)
Attorney for Debtor
748 W Grand River Avenue
Brighton, MI 48116
(810) 494-7172 (phone)
(810) 494-7178 (fax)
ecf@bohikianlaw.com